Tony Anastas, Clerk United States District Court Donohue Federal Building and Courthouse 595 Main Street Worcester, Massachusetts 01608

Re: Stern v. University of Massachusetts et als. Civil Action NO. 04-30176

Dear Mr. Anastas,

Enclosed for filing in the above referenced civil action, please find three documents. The first is entitled "Massachusetts M.G.L. Chapter 15, Section 18" Plaintiff herein requests this to be marked as Exhibit "7A". The reason for this submission is to allow the court to better understand the Massachusetts General Law directly from the Massachusetts State Government website. This website directly confirms the likelihood of success on the merits in the above referenced action and may be found at: http://www.state.ma.us/legis/laws/mgl/15a*2D18.htm

In the first paragraph is the definition of part-time student. Part-time student shall mean a student participating in at least seventy-five percent of the full-time curriculum.

Part-time students are required to participate in a health insurance program with the school they are attending or a comparable program. Plaintiff is not, and was not, technically a "part-time" Student at the University of Massachusetts at Amherst.

Plaintiff herein requests the two documents entitled "Social Law Library" to be marked as Exhibits "7B" and "7C". These two documents, Massachusetts Regulations and reiterate the definition of part-time

Fursuant to Federal Rules of Civil Procedure 28 (j) the reason for this submission is to clarify the action pending and to seek an immediate Temporary Restraining Order against the defendants.

Thank you.

University of Massachusetts-Amherst: Fees for Academic Year 2003-2004(by semester) UNDERGRADUATE PART-TIME STUDENTS Includes NC= Non-Classified & SP= Special Students

Health Services 577-5192

Tuition: Billed by the credit In-State \$71.50 Out-of -State \$414.00 NE Regional \$107.25

tuition;	
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GET \$357.50 Ger \$429.00 7cr \$500.50 8cr \$572.00 9cr \$643.50 10cr \$715.00 11cr \$786.50 TWELVE (12) CREDITS OF	OUT OF STATE 1cr \$414.00 2cr \$828.00 3cr\$1,242.00 4cr \$1656.00 5cr \$2070.00 6cr \$2,484.00 7cr \$2898.00 8cr \$3,312.00 9cr \$3,726.00 10cr \$ 4,140.00 11cr \$ 4,554.00 8 MORE:: FULL TIME BILL	NEW ENGLAND REGIONAL ler \$107.25 2cr \$214.50 3cr \$321.75 4cr \$429.00 5cr \$536.25 6cr \$643.50 7cr \$750.75 8cr \$858.00 9cr \$965.25 locr \$1,072.50 licr \$1,179.75 JNG
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Curriculum Fee	\$ 14.00	\$402.00	
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Mandatory Health Pce	\$266.00		
Six to Eleven Credits		\$266.00	
Service Fee			1 labe
Activities	\$559.50		ileso to
Curriculum	\$ 28.00 \	\$559.50	Have to have
Mandatory Health Fee	\$1240.50	\$ 28.00	- W WOO
	\$266.00	\$1450.50	Tassia
OTHER CHARGES:		\$266.00	

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Late Payment Fee Return Check Fee	\$ 50.00 \$ 25.00	Student Health Ins. (705.00) (now billed by Term)
Tee Stockbridge	\$ 178.00 \$ 70.00	Mass Pirg Child Care 5 7.00 Total Two wants
	\$ 110.00	- V7 418
Engineering Fee: 12+ Credits 6-11 Credits 1-5 Credits	\$ 160.00 110.00 60.00	6 worths - worth Jan 31, 2004

\$ 3236.00 Right

Tony Anastas, Clerk United States District Court Donohue Federal Building and Courthouse 595 Main Street Worcester, Massachusetts 01608

Re: Stern v. University of Massachusetts et als. Civil Action NO. 04-30176

Dear Mr. Anastas,

Enclosed for filing in the above referenced civil action, please find one document. This document is a generic statement of costs associated with the 2003-2004 academic year at the University of Massachusetts at Amherst. Plaintiff herein requests that this document be marked as Exhibit "8". This document, provided by the Bursar's Office, has an encircled amount in the lower right hand corner. amount is a Student Realth Insurance amount of \$705.00 dollars. Directly above this circled reference is the underlined category "Waivable Fees". The reason for this submission is to allow the court to better understand the Policies at the University of Massachusetts at Amherst and their conduct accordingly in the above referenced action. Pursuant to Federal Rules of Civil Procedure 28 (j) the reason for this submission is to clarify the action pending and to seek an immediate Temporary Restraining Order against the defendants.

Thank you.

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Scott Stern Pro-Se Plaintiff

400 West Main Street

North Adams, Massachusetts 01247

Cc: Geoffrey B. McCullough (with enclosure)

My Conversation with Mr. Gatachew of Div. of Health cure, Piner

Getachen from Div. of Health care Students Taking less Than 9 credits do not need to take Q-ship - But Umans can legally ask Them to ensul in Co-ship, it is discontinuay. - He is sending letter.

617 988 3131 Mr. Getachen

02/09/04

9.10 Pm

talked on 1/24/04. at 1.00 pm.

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Com - Remy of budents off contrap

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This letter indicates several things, first, that this attempt at resolution has been an on-going process for several months. Two, this verifies and substantiates exactly what plaintiff was stipulating in his complaint to the court. Thirdly, it distinguishes and establishes that the Division of Health Care Finance and Policy employee, "Mr Getachew" responded without proper direction and threw the issue back at plaintiff to seek restitution with University of Massachusetts

As per the permission of the court, I am submitting this to the court through facsimile transmission.

Please mark this letter as exhibit 14 in the above referenced action,

Pursuant to Federal Rules of Civil Procedure 28 (j) the reason for this submission is to clarify the action pending and to seek an immediate Temporary Restraining Order against the defendants. Thank you.

Sincerely,

Scott Stern

Pro-Se Plaintiff

400 West Main Street North Adams, Massachusetts 01247

Cc: Geoffrey B. McCullough (with enclosure) Massachusetts Board of Higher Education

Tony Anastas, Clerk United States District Court Donohue Federal Building and Courthouse 595 Main Street Worcester, Massachusetts 01608

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OTHER CHARGES:

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Late Payment Fee Return Check Fee	\$ 50.00 \$ 25.00	WAIVABLE FEES: Student Health Ins. 705.00 (now billed by Term))Æ
Entering ree Stockbridge	\$ 178.00 \$ 70.00	Spring Entry Mass Pirg Child Care \$ 7.00 \$ 1.00 Total Justiant	ll
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\$ 3236.00 Vindent

Tony Anastas, Clerk United States District Court Donohue Federal Building and Courthouse 595 Main Street Worcestor, Massachusetts 01608

> Re: Stern v. University of Massachusetts et als. Civil Action No. 04-30176

Dear Mr. Anastas,

Enclosed for filing in the above referenced civil action, please find one document. This document is titled Board of Trustees, and is dated June 6, 1984. Defendants and Defendants Counsel refer to this document as authorization that they could engage in mandating students below the minimum threshold established by the Massachusetts General

The Qualifying Student Health Insurance Program was not established until September of 1989. Thus between 1984 and 1989 the University of Massachusetts simply mandated "all students". When the law became effective, in September 1989, the Board of Trustees should have modified their existing policies to reflect those changes. They did not. What they did do was deny thousands of students personal income. They denied these students their individual right to decide whether or not they wanted health insurance. The Board of Trustees, the University of Massachusetts Health Services, Chickering Group, Aetna Inc., after 1989, during the next fifteen years, conspired to defraud the class members. Please note there may have been other groups administering the plans after 1989 and only upon discovery will these parties be hereto named as co-defendants.

Defendants and Defendants counsel utilize this document as being "an official document" of which it is. However, what does not do is supercede Massachusetts General Law Chapter 15A Section 18, the Code of Massachusetts Regulations 114.6 CMR 3.00 and the Guidelines established by the Division of Health Care Finance and Policy.

Please mark this document as Exhibit "12" in the above referenced action.

As per the permission of the court, I am submitting this to the court through facsimile transmission.

Pursuant to Federal Rules of Civil Procedure 28 (1) the reason for this submission is to clarify the action pending and to seek an immediate Temporary Restraining Order against the defendants.

My Conversation with mr. Gatacher of Div. 4 Health Care, Finance

Getachew from Div. of Health care Students Taking less Man & endis do not need to take Q-stip. - But Umans can legally ask Them to ensoll in Q-Ship, it is discontinuary.

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9.10 Pm

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Com Dean of distinct of technip

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Dear Mr. Anastas,

Enclosed for filing in the above referenced civil action, please find one document. This document is the handwritten notes referred to in the complaint of plaintiff in the above referenced action. This document represents the investigation by Suman Rastogi of the Student Legal Services Office at the University of Massachusetts at Amherst in the Spring of 2004.

This letter indicates several things, first, that this attempt at resolution has been an on-going process for several months. Two, this verifies and substantiates exactly what plaintiff was stipulating in his complaint to the court. Thirdly, it distinguishes and establishes that the Division of Health Care Finance and Policy employee, "Mr Getachew" responded without proper direction and threw the issue back officials.

As per the permission of the court, I am submitting this to the court through facsimile transmission.

Please mark this letter as exhibit 14 in the above referenced action.

Pursuant to Federal Rules of Civil Procedure 28 (j) the reason for this submission is to clarify the action pending and to seek an immediate Temporary Restraining Order against the defendants.

Sincerely.

Scott Stern Pro-Se Plaintiff

400 West Main Street

North Adams, Massachusetts 01247

Cc: Geoffrey B. McCullough (with enclosure)
Massachusetts Board of Higher Education
"Mr. Getachew"

OFFICIAL DOCUMENT

PERMANENT DOCUMENT DOCUMENT TITLE	r No. <u>Doc. T84-</u> Supplemental Health	· 1=:	-UM/Amherst	
COMMITTEEPASSED BY THE BO.	A65A ARD 6/6/84	DATE Marcy 21	, 1984	
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Thank you.

Sincerely,

Scott Stern Pro-Se Plaintiff

400 West Main Street North Adams, Massachusetts 01247

Cc: Geoffrey B. McCullough (with enclosure)

Tony Anastas, Clerk United States District Court Donohue Federal Building and Courthouse 595 Main Street Worcester, Massachusetts 01608

Re: Stern v. University of Massachusetts et als. Civil Action No. 04-30176

Dear Mr. Anastas,

Enclosed for filing in the above referenced civil action, please find documents relative to Exhibits 3(See attachment A) These documents are of the various colleges and universities of our great commonwealth. Inclusive of these are the University of Massachusetts at Dartmouth, and the University of Massachusetts at Boston. Each of which properly apply the Massachusetts General Laws, the Code of Massachusetts Regulations and the Guidelines established by the Division of Health Care Finance and Policy. As plaintiff stated during oral argument before Judge Saylor, either each of these institutions have missed something and should be mandating more students to enroll in a QSHIP program, or the University of Massachusetts at Amherst is

The fact is, the University of Massachusetts Board of Trustees have sought to enforce this discriminatory policy against class members at two of the five campuses that plaintiff is aware of. This court must act swiftly in regard to this issue. This plaintiff's education is dependent on the issuance of a Temporary Restraining Order against the defendants. If the University of Massachusetts Board of Trustees were attempting to enforce an enhancement of the statute, as Defendant Counsel stated, why didn't they do it at all the campuses?

That is the essence of the argument plaintiff stated in court on September 23, 2004 before the Honorable Judge Saylor.

Please mark each each of these documents accordingly, as plaintiff has marked each one with an Exhibit number in the lower right hand corner for the court's convenience.

Pursuant to Federal Rules of Civil Procedure 28 (j) Citation and Supplemental Authorities, plaintiff herein submits to this court the enclosed documents for the reason to supplement his oral argument of September 23, 2004.

As per permission of the court, this submission is sent to the court by facsimile transmission.

Pursuant to Federal Rules of Civil Procedure 28 (j) the reason for this submission is to clarify the legislative intent of Massachusetts General law Chapter 15A Section 18 and to seek an immediate Temporary Restraining Order against the defendants.

Thank you.

Sincerely,

Scott Stern Pro-Se Plaintiff 400 West Main Street North Adams, Massachusetts 01247

Cc: Geoffrey B. McCullough(with enclosure)
Massachusetts Board of Higher Education
"Mr. Getachew"

ATTACIMENT A

Documents and their respective Exhibit numbers to be inclusive of this Complaint for Civil Action 04-30176-MAP. This list is not a complete exhaustive listing of all colleges and universities, public and private, within the Commonwealth of Massachusetts, it is only a representative sample.

University of Massachusetts at Dartmouth "3A" University of Massachusetts at Boston "3B" University of Massachusetts at Amherst (In violation-listing it as 5 or

Berkshire Community College "3D" Bristol Community College "3E" Bunker Hill Community College "3F" Cape Cod Community College "3G" Greenfield Community College "3H" Holyoke Community College "31" Mass Bay Community College "3J" Massasoit Community College "3K" Middlesex Community College "3L" Mount Wachusett Community College "3M" North Shore Community College "3N" Northern Essex Community College "30" Quincy College "3P"

Ouinsigamond Community College "30" Roxbury Community College "3R"

Springfield Technical Community College "38"

Simmons College (In violation-listing it as 8 or more credits), "3T"

Suffolk University "3U"

Wentworth Institute of Technology "3V" Wesleyan University (may be in violation) "3W" Westfield State College "3X" Worcester State College "3Y" Wheelock College "32" Massachusetts School of Law "3AA, 1-4"

University of Massachusetts Dartmouth

About UMD | Academics | Admissions | Campus & Community | Student Life | News & Events | Services & Administration Index | Ask | Directory | Full-Display Layout

Health Services

The state of the s	
• Home	Health Insurance
Mission Statement	STUDENT ACCIDENT AND SICKNESS INSURANCE PLAN
ServicesStaffHealth	WHO IS ELIGIBLE TO PURCHASE THE STUDENT INSURANCE PLAN?
Insurance Immunization Requirements Health Form Recommende	Matriculated undergraduate and graduate students who are at least 34 or full time are eligible to purchase this plan. Matriculated students who are not currently registered, or who have requested accepted into a degree-granting program at UMASS Dartmouth.)
	HOW DO I ENROLL IN THE PLAN?
Policies Health	FULL TIME AND % TIME:
Education Allergy Self Care Guide What to do when closed Fees Patient rights and	Massachusetts Law-requires that all full time and ¾ time matriculated students to carry medical insurance and these students will be billed automatically. Students who intend to enroll in the students asked to confirm their intention by returning the waiver card mailed with the tuition bill be Bursar's Office. Domestic students with proof of insurance that meet the QSHIP (Qualifying Student Health Insurance Program) who do not want to purchase the student plan may waive out of the plan. You may check out the requirements at http://www.state.ma.us/dhefp then click on student health insurance in the left side of the page.
responsibilities FAQ's	NOTE: If full time and ¾ time students fail to waive out of the plan by the deadline set by the Burn of the plan they will automatically be enrolled in the plan. Be aware that if students choose to waive of the plan they will not be eligible to enroll again for one year. The only exceptions are if a student is dropped from their plan and submit proof. Only new student's can enroll in January.
	INTERNATIONAL STITUTES.

INTERNATIONAL STUDENTS:

International students (F1 and J1 visa) are required to remain enrolled in the UMASS Dartmouth Plan. No matter what the number of credit hours, Massachusetts law requires that international students must have insurance and not use any of the free health care pools available in various communities.

WHAT HAPPENS IF I WAS ADMITTED TO UMD AFTER THE DEADLINE FOR THE

Students who are admitted to UMD after the deadline date will be given a two week grace period to February 1st, extensions will be decided on a case-by-case basis.

I AM INSURED UNDER MY PARENTS' HEALTH INSURANCE AT HOME, DO I NEED TO PURCHASE THE UMD STUDENT HEALTH INSURANCE PLAN?

Generally UMD recommends that all resident undergraduate students consider purchasing the plan since it gives students access to local care when they may need it most. Be aware that many "home

requirements, travel advisories etc.

WHAT ARE THE VISION BENEFITS?

The vision one discount program provides discounted eye care products including Lasik surgery at discounted rates, and services through many optical centers. Providers are available at www.actna.com/docfind

ARE PRESCRIPTIONS COVERED?

There is a \$1000 policy year maximum. Preferred Care is 100% of the negotiated charge after a \$10 copy for generic drugs and a \$25 copay for brand name drugs. Non-Preferred is 100% of the reasonable charge after a \$10 copay for generic drugs and a \$25 copay for brand name drugs.

DOES THE STUDENT PLAN COVER INTERCOLLEGIATE SPORTS ACCIDENTS?

Beginning with the August 2004 policy intercollegiate sports injuries will be covered as any other injury up to \$1500. However, if a intercollegiate athlete is also covered under a parent's plan, the parents plan pays first, and the student plan pays second. When costs exceed \$1500 the UMD Athletic policy will pay excess to \$65,000 after the first \$1500. Club and intramural accidents are covered as any other injury up to a policy maximum of \$50,000.

WILL THE UMASS DARTMOUTH HEALTH CENTER SUBMIT INFORMATION TO MY FAMILY INSURANCE COMPANY?

NO. All services in the Health Services if free except for pre matriculation immunizations which range from \$10-70 per injection. There is no charge to see the physician or nurse practitioners. Allergy injections are free, students must provide their own serum and instructions by a board certified allergist. Lab tests are sent to Quest Labs who then bill your insurance including the school insurance.

HOW MUCH DOES THE SCHOOL INSURANCE COST?

The basic annual cost is \$957 for students. See the brochure or web site for more information about dependents, and supplemental benefits.

IS DENTAL COVERED?

ONLY accidental injuries to sound ,natural teeth are covered. Typical dental treatment such as fillings and teeth cleaning are not.

CAN YOU PRUCHASE THE STUDENT HEALTH INSURNACE FOR HALF THE YEAR?

Only NEW students can purchase the insurance in January for the second semester. The only exception is a student who is dropped from their parents plan.

These students would then need to submit proof that they were dropped from the plan.

DO I NEED THE STUDENT INSURANCE TO SEEK CARE AT UMD HEALTH SERVICES?

NO. All matriculated students who pay the Health Fee are eligible to use Student Health Services.

WHAT ELSE SHOULD I KNOW IF I HAVE MY OWN INSURANCE UNDER A PARENT OR IF THIS PLAN IS AN HMO STYLE?

If you are waiving the school insurance because you area domestic student and have insurance you

insurance plans will not cover non-emergency services when students are away from home. Many IIMO's may require that blood work,x-rays, physical therapy and specialist referrals only be done at "in -network" facilities. Students may find it difficult or inconvenient to return home for these types of services. Some plans will only let prescriptions be filled if ordered by an "in-network" provider.

Before you decide to waive out of this plan, you should check with your home insurance to make sure you are covered not only for emergency care but also for any non-emergency, followup, specialist consultation or rehabilitative services in the Dartmouth area UMD Health Services uses Quest for blood work. While this is a national lab, students should check whether Quest is covered by their family insurance company.

Massachustts Law (QSIHP) does require that your insurance be billable in the Dartmouth area. If it is not then you must purchase the school insurance plan.

CAN YOU TELL ME MORE ABOUT THE STUDENT PLAN?

The university has helped design a low-cost plan for students that will complement the services that are available on campus and will work 24 hours a day anywhere in the US. There is a large network of providers which are available at www.actna.com/docfind.

While the insurance plan only covers sickness or accidents up to \$50,000, it will meet the needs of most students. If the student basic insurance is your ONLY insurance, then it is recommended that you consider the Optional Supplemental Medical Coverage which provides an additional \$150,000 of coverage. This coverage is available by calling Chickering Insurance at 800-859-8468 or going on

Click on your school or type in policy number 711140. It is at this location that you can read about the basic insurance policy as well as view the supplemental enrollment form. Print and complete the Supplemental Enrollment Form and mail it to Chickering Group with your payment. Plan brochures are mailed with the tuition bill each year. You can also view this on line at the above

address.Copies are also available in the Student Health Services Office.

CAN I BE SEEN AT THE HEALTH SERVICES OFFICE IF I DO NOT PURCHASE THE

YES

HOW DOES THE STUDENT PLAN WORK?

When classes are in session Fall and Spring Semester, students must be seen in the Health Services first or they will be responsible for a \$200 deductible for that visit. The only exceptions are emergencies, gynecological visits and chiropractic visits. Students who are enrolled in the plan will not be billed for on -campus services that are covered by the plan(physician and nurse practitioner visits, allergy injections and some lab tests). Referral to outside specialists, x-ray and lab specimens sent to Quest labs all need to be billed to your insurance.

IF I AM AT HOME OR TRAVELING AWAY FROM UMD AM I STILL COVERED?

Yes, when classes are not in session and you are home on break or traveling the school plan provides coverage24 hours a day anywhere in the US for as long as you are insured. When you are traveling abroad away from your home country your coverage is in effect.

WHAT IF I HAVE AN EMERGENCY WHILE TRAVELING MORE THAN 100 MILES

If you experience a medical emergency while traveling more than 100 miles from home or campus, you have access to a comprehensive group of emergency assistance services provided by Assist America. Call 800-872-1414,24 hours a day,7 days a week. Assist America will assist you with medical referrals, legal and interpreter assistance, foreign hospital admission guarantee, prescription assistance lost luggage asistance travel information such as visa and passport

must be sure that it is billable in the Dartmouth area. Many HMO 's are not and then you would need to purchase the school plan.

It is important to always carry your insurance card with you and have the plan booklet and contact information with you. It is the student's responsibility to obtain pre-authorization if off-campus or hospital care is needed.

Likewise if you need preauthorization for lab work,x-rays or prescriptions it is the student's responsibility to obtain this authorization and know how to obtain the authorization.

WHAT IF I HAVE QUESTIONS ABOUT THE POLICY, CLAIMS OR NEED ASSISTANCE WITH FILING A CLAIM?

There is an insurance representative from Chickering Insurance on campus during the academic semester. You may reach this person by leaving a message at 508-999-8876. The insurance rep is also available to talk to in person in the Health Services from 1.5 pm Monday through Friday.

In Massachusetts, all students attending institutions of higher education taking 3/4 or more of the full time credit load are mandated by law to have comprehensive Health Insurance. If a student is covered by another comparable plan, usually through their parents, the fee for the UMD insurance can be waived. This transaction is part of the tuition bill.

| Mission Statement | Services | Staff | Health Insurance | Immunization Requirements | Health Form | | Recommended Immunizations | Important Policies | Health Education | Allergy | Self Care Goide | | What to do when closed | Fees | Patients Right and Responsibility | FAQ's |

Last Updated On: 8/25/04

About UMD | Academics | Admissions | On Campus | Student Life | News & Events | Services | Help | Index | Ask | Directory | Pull-Display Layout

UMass Dartmouth Site Index

An Official UMass Dartmouth Web Page/Publication, @ 2003 Board of Trustees of the University of Massachusetts.

University of Massachusetts Dartmouth 285 Old Westport Road • North Dartmouth, MA 02747-2300

Phone: 508 999-8000 • Fax: 508 999-8901 • email site comments to: webmaster@umassd.edu

Cripi's

This is the website for University of Massachusetts at Boston:

http://www.umb.edu/students/health/faq.html#2

Frequently Asked Questions

- 1. What is the Student Health Fee and how much does it cost?
- What is the Student Health Insurance Plan, who and what does it cover, and how much does it cost?
- 3. What if I already have insurance?
- 4. What are the Immunization Requirements?
- 5. What is a Nurse Practitioner?
- 6. What is UMass's policy on alcohol and other drugs?

What is the Student Health Fee and how much does it cost?

Every student enrolled at UMass Boston is required to pay a mandatory Health Fee. The current fees per semester are \$71 for full-time students and \$35.50 for part-time students.

Fees support the overhead and staffing for most services and programs. There may be fees for specific services. You will be notified about the charges when you call for an appointment .

What is the Student Health Insurance Plan, who and what does it cover, and how much does it cost?

The UMass Boston Health Insurance Plan is available to all students at UMass Boston. This plan provides coverage for hospitalization and other health care services not obtainable at the Health Service, and has a charge separate from the mandatory Student Health Fee, which supports the Health Service. The charge for the plan for the '99-'00 policy year, 9/1/00 through 8/31/2001 is \$763. A brochure covering the plan is available through Health Services administration. Coverage for spouse and/or children is available. Premiums are included in the brochure. Download the brochure in Adobe.pdf format.

What if I already have Insurance?

Children St.